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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/513,914	02/25/2000	Ramanamurthy Dantu	067191.0111	7470

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Baker Botts, L. L. P.  
2001 Ross Avenue  
Dallas, TX 75201-2980

EXAMINER

FERRIS, DERRICK W

ART UNIT	PAPER NUMBER
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2663

DATE MAILED: 12/08/2003

13

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action**

Application No.

09/513,914

Applicant(s)

DANTU ET AL.

Examiner

Derrick W. Ferris

Art Unit

2663

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 18 November 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

**PERIOD FOR REPLY [check either a) or b)]**

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on \_\_\_\_\_. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
  - (b) ☐ they raise the issue of new matter (see Note below);
  - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
  - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_.

3. ☒ Applicant's reply has overcome the following rejection(s): 112-first paragraph rejection.
4. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: \_\_\_\_\_.

Claim(s) objected to: \_\_\_\_\_.

Claim(s) rejected: 1-72, 76 and 77.

Claim(s) withdrawn from consideration: \_\_\_\_\_.

8. ☐ The drawing correction filed on \_\_\_\_\_ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☒ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). 6.
10. ☐ Other: \_\_\_\_\_

Continuation of 5. does NOT place the application in condition for allowance because: Attached please find a copy of IDS filed 10/02/2002 (paper #6) previously considered by the examiner in paper #8. Since applicant canceled claims 73-75, the 112-first paragraph rejection is rendered moot and thus withdrawn by the examiner. As to the 103 rejections, applicant fails to argue the teachings of the combined references and instead focuses on the singular teachings of Mikkonen. Applicant in general argues the limitation for a traffic controller that is able to communicate with other wireless routers. Noticeably absent from the recited claimed subject matter is how a traffic controller is to communicate with other wireless routers leaving the examiner with a reasonable but broad interpretation of the claimed subject matter. In addition, applicant may also be arguing limitations not recited in the independent claims. As pointed out in the examiner's rejection, one possible reasonable but broad interpretation is via "handoff" or "handover" in a wireless system. As mentioned in the rejection, the term "handoff" appears at least on column 5, lines 45-67 of Mikkonen (emphasis added). Specifically, Mikkonen is silent or deficient on how a "handoff" might be implemented for a wireless system. As such, Ahmed provides support for how a "handoff" is implemented with respect to an anchor base station/router in a wireless system. Emphasis is again placed on the combined teachings since applicant does not address the specific teachings of Admed in their remarks (e.g., see applicant's remarks filed on 11/18/03 on pages 15-16). (Instead applicant makes a general reference at the end of their remarks to the Admed reference, see page 19 last paragraph.) Examiner notes that one skilled in the art would be motivated to use the teachings of Admed in combination with Mikkonen since Admed provides further support for how inter-communication between wireless devices/routers are performed in a wireless GSM/packet system for a handoff/handover. As both references disclose wireless networking in general, and more specifically handoffs in a wireless system such as GSM/packet based networks, examiner notes a further motivation to combine the teachings as a whole for both references. Thus the combined teachings provide support for the limitation of a traffic controller that is able to communicate with other wireless routers. Examiner notes similar reasoning is also applied with respect to claims 64 and 77 addressed by the applicant. As to claims 31-33 and 35-41 see at least column 5, lines 45-67; column 6, lines 54-67; and column 7, lines 1-20. As to claim 39, examiner notes a reasonable but broad interpretation of virtual path label where the radio flow is a virtual path.



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